



COTTONWOOD HEIGHTS CITY COUNCIL AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Business Meeting beginning at **7:00 p.m. on Tuesday, May 14, 2013**, at Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah.

7:00 p.m. 1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

2.0 CITIZEN COMMENTS

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Standing Monthly Reports

a. April Police Report – Sheila Jennings

(Review of the Police Department statistics for the month of April)

b. Public Works Report – Public Works Director Mike Allen

(Presentation of the monthly public works report detailing the status of various public works and capital projects throughout the City)

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2013-19 Tentatively Adopting an Amended Budget for the Period of 1 July 2012 Through 30 June 2013; Tentatively Adopting a Tentative Budget for the Period of 1 July 2013 Through 30 June 2014; Providing for Public Inspection of Such Budgets; Establishing the Time and Place of Public Hearing to Consider Adoption of Such budgets; and Providing for Newspaper Publications of such Public Hearings

4.2 Consideration of Resolution No. 2013-20 Consenting to an Appointment to the Board of Adjustment

(Doug Folsom will be appointed to the Board of Adjustment)

5.0 CONSENT CALENDAR

Approval of Minutes for April 9, 2013 and April 23, 2013

**6.0 ADJOURN BUSINESS MEETING AND RECONVENE
WORK SESSION IN ROOM 250**

PUBLIC COMMENT PROCEDURE

At each City Council Business Meeting any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the citizen comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name and address the body. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council.

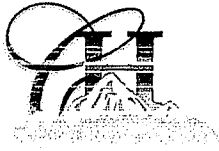
On Monday, May 13, 2013, at 5:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.ch.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>

DATED THIS 13th DAY OF MAY 2013

Kory Solorio, Deputy City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Councilmember will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Kory Solorio, Deputy City Recorder, at (801) 944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Deputy City Recorder no later than Tuesday at noon. Comments can be emailed to ksolorio@ch.utah.gov



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Work Session at **6:00 p.m. on Tuesday, May 14, 2013**, in the Cottonwood Heights City Council Conference Room located at 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, Utah

- 6:00 p.m.**
1. **Canyons School District Board Update – Nancy Tingey (20:00)**
(Nancy Tingey, Canyons School District Board Member, will update the Council on current activities at the Canyons School District)
 2. **Review of Business Meeting Agenda (10:00)**
- 6:30 p.m.**
3. **Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual Review of Business Meeting Agenda (25:00)**
 4. **Public Relations Report (10:00)**
 - a. Media Coverage
(Public Relations Specialist, Stephanie Archibald, will provide a report on media coverage of city events)
 - b. Valley Journal
(A review of the upcoming articles for future editions)
 5. **Public Works Report (20:00)**
 - a. Big Cottonwood Canyon Trail Project
(Public Works Director Mike Allen will provide the Council with an update on the Big Cottonwood Canyon Trail Project)
 - b. Trip Hazard Policy and Procedure
(Public Works Director Mike Allen will discuss the trip hazard policy and procedure along with the budget for replacement of sidewalks that cannot be repaired)
 6. **Planning Department Report (20:00)**
 - a. Mountview Park
(Staff will update the Council on the park improvements and landscaping)
 - b. Union Park Resolution
(Staff will discuss the contract awarded to Staker-Parsons to complete the Union Park Median improvements)
 7. **Public Safety Report (30:00)**
 - a. Unified Fire Authority
(Report from Assistant Chief Mike Watson on events of the week)
 - b. Police Department
(Report from Chief Robby Russo on noteworthy events of the week)

1. Valley Emergency Communications Center Update
(Chief Russo will discuss the proposal presented to the Board of Trustees relating to the budget)
8. **City Attorney (30:00)**
 - a. Exotic Pet Ordinance
(City Attorney Shane Topham will review and discuss revisions to the exotic pet ordinance with the Council)
9. **City Manager Report (10:00)**
 - a. Candidate Packet and Orientation Meeting
(Deputy City Manager Linda Dunlavy will discuss the candidate packet and orientation meeting)
10. **Mayor/City Council Reports (30:00)**
 - a. Historic Committee Meeting – Councilman Peterson
(Councilman Peterson will report on the recent Historic Committee meeting and tour)
 - b. Long Range Planning Meeting – Councilman Peterson
(Councilman Peterson will report on the monthly coalition for solutions to homeless housing held at the City)
 - c. Arts Council Meeting – Councilman Shelton
(Councilman Shelton will report on the recent Arts Council meeting)
 - d. Emergency Planning – Councilman Shelton
(Councilman Shelton will report on the monthly coordination meeting of the City's Emergency Preparedness Committee)
 - e. Access Wasatch Executive Committee Meeting – Mayor Cullimore
(Mayor Cullimore will report on the recent Access Wasatch Executive Committee Meeting)
11. **Calendar of Events (10:00)**
 - a. DARE Graduation – May 21 – Bella Vista Elementary @ 2:00 pm
 - b. DARE Graduation – May 22 – Butler Elementary @ 11:00 am
 - c. City Offices Closed for Memorial Day – May 27
 - d. Schedule of Summer Activities
 1. Rec Center Triathlon – June 1
 2. Movies in the Park – June 14 @ Mountview
 3. Bark in the Park – June 29 @ Mill Hollow
 4. Movies in the Park – July 12 @ Mill Hollow
 5. Butlerville Days – July 24 @ Butler park
 6. Music Man – July 26,27,29 August 1,2,3 @ Brighton High School
 7. Night Out Against Crime – August 6
 8. Movies in the Park – August 9 @ Bywater
 9. City Staff/Family Picnic – August 28 @ Mountview
12. **Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual**
13. **ADJOURN**

ACTION ITEM

4.1

Resolution No. 2013-19

COTTONWOOD HEIGHTS

RESOLUTION No. 2013-19

A RESOLUTION TENTATIVELY ADOPTING AN AMENDED BUDGET
FOR THE PERIOD OF 1 JULY 2012 THROUGH 30 JUNE 2013;
TENTATIVELY ADOPTING A TENTATIVE BUDGET FOR THE
PERIOD OF 1 JULY 2013 THROUGH 30 JUNE 2014;
PROVIDING FOR PUBLIC INSPECTION OF SUCH BUDGETS;
ESTABLISHING THE TIME AND PLACE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF SUCH BUDGETS; AND PROVIDING FOR
NEWSPAPER PUBLICATION OF SUCH PUBLIC HEARINGS

WHEREAS, the Uniform Fiscal Procedures Act for Utah Cities (UTAH CODE ANN. §10-6-101 *et seq.*) (the “*Act*”) provides, among other things, that (a) the mayor or other budget officer shall propose a tentative budget for the upcoming fiscal year to the city’s governing body; (b) the city’s governing body shall review, consider (and amend, as advisable) and tentatively adopt such tentative budget; (c) such tentative budget shall be available for public inspection for at least ten days prior to adoption of a final budget; (d) the city’s governing body shall hold a public hearing concerning the tentative budget following at least seven days’ prior notice in a newspaper of general circulation; and (e) following such public hearing, the city’s governing body may adopt a final budget as provided in the Act; and

WHEREAS, the Act provides that those same procedures be followed for a proposed amendment to an adopted budget for a current fiscal year;

WHEREAS, at a meeting of the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) on 7 May 2013, Steven Fawcett, the City’s budget officer, filed with the Council (a) a proposed amended budget for the City for the period of 1 July 2012 through 30 June 2013, (b) a tentative budget for the City for the period of 1 July 2013 through 30 June 2014, and (c) an accompanying budget message as required by the Act; and

WHEREAS, as part of its 14 May 2013 regular meeting, the Council reviewed and considered the proposed amended budget (the “*Amended Budget*”) for the current fiscal year and the proposed tentative budget (the “*Tentative Budget*”) for the upcoming fiscal year; and

WHEREAS, the Council desires to fully comply with the requirements of the Act regarding adoption of final budgets for the City; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to tentatively adopt the Amended Budget and the Tentative Budget (collectively, the “*Budgets*”) as presented by the City’s budget officer;

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that such council hereby (a) tentatively adopts each of the Budgets; (b) orders that a public hearing (the "*Hearing*") concerning each of the Budgets be held on Tuesday, 28 May 2013, beginning at 7:00 p.m., or as soon thereafter as practical, at 1265 East Ft. Union Blvd., Suite 300, Cottonwood Heights, Utah, at which time all interested persons in attendance shall be given the opportunity to be heard, for or against, each of the Budgets; (c) orders that copies of the Budgets be available for public inspection in the office of the City's recorder (the "*Recorder*") at 1265 East Ft. Union Blvd., Suite 250, Cottonwood Heights, Utah for at least ten days prior to the Hearing; and (d) orders the Recorder to assure that notice of the Hearing be (i) published at least seven days prior to the Hearing in at least one issue of a newspaper of general circulation published in Salt Lake County, Utah, and (ii) timely posted on any public notice website required by law.

This Resolution, assigned no. 2013-19, shall take effect immediately upon passage as provided herein.

PASSED AND APPROVED this 14th day of May 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

ATTEST:

By _____
Kelvyn H. Cullimore, Jr., Mayor

Linda Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 14th day of May 2013.

RECORDED this ___ day of May 2013.

ACTION ITEM

4.2

Resolution No. 2013-20

COTTONWOOD HEIGHTS

RESOLUTION NO. 2013-20

A RESOLUTION CONSENTING TO AN APPOINTMENT TO THE BOARD OF ADJUSTMENT

WHEREAS, on 14 January 2005, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") enacted Ordinance No. 05-13 creating the City's board of adjustment (the "*Board*"); and

WHEREAS, thereafter, Ordinance No. 05-13 was codified as chapter 19.92 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the "*Code*"); and

WHEREAS, §19.92.020 of the Code provides that the Board shall consist of five regular members and one or more alternate members appointed by the City's manager (the "*Manager*"), with the advice and consent of the Council, for staggered five-year terms, not to exceed two consecutive terms; and

WHEREAS, the policy of the Council in cases involving a Board member who has served one or more partial terms (due to, for example, replacing a Board member who resigns before his/her term of office is completed) is to aggregate such service so that such member serves a maximum of ten consecutive years (which is equivalent to two consecutive five-year terms), thereby requiring a final term of office that is shorter than the normal five-year term; and

WHEREAS, Board member Gary Barnes recently resigned from the Board after moving from the City; and

WHEREAS, the Council met on 14 May 2013 to, among other things, (a) consider appointing **Doug Folsom** to complete the remaining term of office of former Board member Gary Barnes, and (b) ratify and consent to the current composition of membership of the Board; and

WHEREAS, the Manager has nominated Mr. Folsom to such term of office; and

WHEREAS, the Council has given advice for such appointment as proposed by the Manager; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to such appointment as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the Council hereby (a) consents to the appointment of **Doug Folsom** as a regular member of the Board for the balance of the term of office of former Board member Gary Barnes; and (b) ratifies and consents to the status of the following individuals as all of the current members of the Board for the terms of office set forth opposite each name:

<u>Name</u>	<u>District</u>	<u>Initial Term Expires</u>
James Adinaro	1	13 January 2016
Bob Wilde	1	13 January 2014
James Holtkamp	2	13 January 2015
Noor Ul-Hasan	2	13 January 2015
Doug Folsom	4	13 January 2017
William R. Good	4 (Alternate)	13 January 2017
Don J. Antczak	3 (Alternate)	13 January 2014

This Resolution, assigned no. 2013-20, shall take effect immediately upon passage.

PASSED AND APPROVED effective 14 May 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea ___	Nay ___
Michael L. Shelton	Yea ___	Nay ___
J. Scott Bracken	Yea ___	Nay ___
Michael J. Peterson	Yea ___	Nay ___
Tee W. Tyler	Yea ___	Nay ___

DEPOSITED in the office of the City Recorder this 14 May 2013.

RECORDED this ___ day of May 2013.

597804.1

CONSENT CALENDAR

ITEM 5.0

Unapproved Minutes April 9, 2013

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, APRIL 9, 2013, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Shelton, Councilman Scott Bracken, Councilman Tee Tyler, Councilman Mike Peterson

Staff Present: City Manager John Park, City Attorney Shane Topham, Assistant Fire Chief Mike Watson, Police Chief Robby Russo, Public Relations Specialist Stephanie Archibald, Public Works Director Mike Allen, Community and Economic Development Director Brian Berndt, City Engineer Brad Gilson, Finance Director Steve Fawcett, Police Support Specialist Sheila Jennings, Victim Advocate April Ryce, Deputy City Manager Linda Dunlavy was excused

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:09 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Councilman Peterson.

2.0 CITIZEN COMMENTS

2.1 There were no citizen comments.

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Recognition of Police Chief Robby Russo

3.1.1 Mayor Cullimore recognized Chief Russo for being awarded Utah Chiefs of Police Association, Police Chief of the Year for medium-sized police agencies in the State of Utah. He said that Chief Russo is very deserving of this award and the City is very proud of him.

Standing Monthly Reports

3.2 March Police Report

Police Support Specialist Sheila Jennings presented statistics for the month of March. Overall, crime decreased from the previous month, but there was an increase in Priority 2 calls. Response times for Priority 1 calls were reported to be less than four minutes and Priority 3 calls were reported to be less than eight minutes.

There were 117 arrests, with an increase in adult arrests and a decrease in juvenile arrests. Ms. Jennings next reviewed crimes by district noting District 1 had 13 DUI's and District 4 had a burglary, which was reported as a home invasion.

A complete police report is available on the City's website.

3.3. Victim Advocate Report

Victim Assistance Coordinator April Ryce presented the quarterly victim advocate report. She noted that services were offered to 283 victims during the quarter and included crisis counseling, contact

follow-up, criminal justice support and advocacy, restitution claims, emergency financial assistance, and shelter.

Staff attended a quarterly conference in Moab and also completed 40-hour rape crisis training. Staff continues to participate in the Salt Lake Area Domestic Violence Coalition as well as Sexual Assault Response Team (SART) meetings.

The police department recently submitted a request in the amount of \$22,332.20 to the Victims of Crime Act Grant (VOCA) for the 2013-2014 year.

A complete victim advocate report is available on the City's website.

3.4 Public Works Report

Public Works Director Mike Allen presented the monthly public works report. He noted that April is National Safe Digging Month and encouraged the public to call 8-1-1 prior to digging.

Mr. Allen reported the Union Park median landscape and access management project is currently out for bid and the 7200 South safe sidewalk project is scheduled to commence work in mid-May. He also updated the Council on the storm drain mapping study and the Big Cottonwood Trail projects which are currently underway.

A complete public works report is available on the City's website.

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2013-11 Declaring Certain Property Surplus

4.1.1 Mayor Cullimore explained that the proposed resolution declares certain property surplus, specifically a computer and a public works vehicle.

4.1.2 **MOTION:** Councilman Peterson moved to approve Ordinance No. 2013-11. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

4.2 Consideration of Resolution No. 2013-12 Consenting to Arts Council Standing Sub-Committee

4.2.1 Councilman Shelton explained that the proposed resolution establishes standing committees for the Arts Council which enables them to staff the committees, resulting in more efficient use of volunteers' time.

4.2.2 **MOTION:** Councilman Shelton moved to approve Ordinance No. 2013-12. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

4.3 Consideration of Resolution 2013-13 Approving a Reimbursement Agreement with Fuels Investments Co., LLC for Water Usage

4.3.1 Mayor Cullimore explained that the proposed resolution is a reimbursement for water provided to the City's monument located on 1300 East and Union Park.

4.3.2 **MOTION:** Councilman Shelton moved to approve Ordinance No. 2013-13. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

5.0 **CONSENT CALENDAR**

5.1 **Approval of Minutes for March 12, 2013**

5.1.1 The minutes stood approved.

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

6.1 **MOTION:** Councilman Tyler moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote. The business meeting adjourned at 8:01 p.m.

CONSENT CALENDAR

ITEM 5.0

Unapproved Minutes April 23, 2013

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD
TUESDAY, APRIL 23, 2013, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY
COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Shelton, Councilman Scott Bracken, Councilman Tee Tyler, Councilman Mike Peterson

Staff Present: City Manager John Park, Deputy City Manager Linda Dunlavy, City Attorney Shane Topham, Community and Economic Development Director Brian Berndt, Police Chief Robby Russo, Finance Director Steve Fawcett, Public Relations Specialist Stephanie Archibald, Public Works Director Mike Allen was excused, Assistant Fire Chief Mike Watson was excused

Others Present: UFA Town Chief Mac Lund, Scout Troop 609, Scout Troop 568, Youth City Council Member Ben Pugmire, Verl Buxton,

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:06 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Zakia Kirby of Scout Troop 568.

2.0 CITIZEN COMMENTS

2.1 Verl Buxton shared concerns regarding City monies that have been released for the Canyon Centre Project.

Mayor Cullimore stated that no monies have been released because the project must be built to generate the tax revenue.

Mr. Buxton next asked about the placement of a new fence located along 3250 East and Fort Union Boulevard, by Salt Lake County.

City Manager John Park reported that the fence is being rebuilt due to damage caused by snow plows.

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

Standing Monthly/Quarterly Reports

3.1 Monthly Financial Report

Finance Director Steve Fawcett presented the financial report for the month of March. He reported that there are no significant changes with regard to revenue or expenditures. There are changes in the report due to amending the revenue budget to equal the anticipated end-of-year income. The effect of those changes is approximately \$625,000 to the positive.

Outstanding delinquencies have been collected and sales tax revenue is expected to total approximately \$4.9 million by the end of this fiscal year. Month-to-month totals are reported to be slightly above the prior year.

A complete financial report is available on the City's website.

3.2 Unified Fire Report

UFA Battalion Chief Mac Lund presented the unified fire report for the month of March. He reported that in terms of call volumes Station 110 came in 4th and Station 116 came in 18th. Station 110 had 123 total calls with 106 Advanced Life Support (ALS) calls resulting in 54 transports; and 17 Basic Life Support (BLS) calls resulting in 9 transports. Station 116 had 41 calls with a total of 40 Advanced Life Support (ALS) calls resulting in 16 transports; and 1 Basic Life Support (BLS) call resulting in 1 transport.

Chief Lund reviewed the customer service report for Stations 110 and 116.

The safety message for April was regarding the importance of ladder safety while making repairs; checking smoke and carbon monoxide detectors; and updating 72-hour kits. With summer just around the corner, he reminded everyone to create a safe zone free of debris around the house and reviewed proper barbecue grill disposal.

A complete UFA report is available on the City's website.

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2013-14 Approving Entry into Amendment No. 10 to an Interlocal Agreement with Salt Lake County for Public Works Services

4.1.1 Mayor Cullimore explained that the City currently contracts with Salt Lake County for public works services. The proposed resolution for the upcoming fiscal year was changed to include a 90 day termination clause should the City determine to go a different direction.

4.1.2 **MOTION:** Councilman Bracken moved to approve Ordinance No. 2013-14. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote

4.2 Consideration of Resolution No. 2013-15 Approving Entry into Amendment No. 3 to an Interlocal Agreement with Salt Lake County for Paving Services

4.2.1 Mayor Cullimore said that the proposed resolution with Salt Lake County for paving services was to be modified to include the 90 day termination clause which is not stated in the agreement before the Council.

4.2.2 **MOTION:** Councilman Peterson moved to approve Ordinance No. 2013-15 subject to the addition of the 90-day termination clause. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.3 Consideration of Resolution 2013-16 An Appropriation Resolution Adopting a One-Year Action Plan for FY 2013-2014 Community Development Block Grant Funding and Authorizing an Interlocal Cooperation Agreement between Cottonwood Heights, the U.S. Department of Housing and Urban Development and other Governmental Entities

4.3.1 Mayor Cullimore stated that every year the Department of Housing and Urban Development, through Salt Lake County, awards grants to various municipalities to help with low-income housing needs. The proposed resolution approves the use of approximately \$60,000 to make improvements

for ADA ramps and other handicap accessibility features; provides \$10,000 to the ASSIST Program for helping low-income individuals with home repairs; and \$5,000 each to Valley Services and Helping Hands.

- 4.3.2 **MOTION:** Councilman Shelton moved to approve Ordinance No. 2013-16. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

4.4 **Consideration of Resolution No. 2013-17 Consenting to Reappointments to the Architectural Review Commission**

- 4.4.1 Mayor Cullimore said that the next two resolutions are consenting to appointments or reappointments to various city committees. The Architectural Review Commission is made up of professionals in architecture and design who review new projects, confirm compliance with city code, and offer recommendations. The proposed resolution reappoints Scott E. Chapman, Jonathan Jan Oldroyd, Laura McCoy, and Scott Peters.

- 4.4.2 **MOTION:** Councilman Tyler moved to approve Ordinance No. 2013-17. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

4.5 **Consideration of Resolution No. 2013-18 Consenting to Appointments to the Cottonwood Heights Arts Council**

- 4.5.1 Mayor Cullimore stated that the above resolution reappoints Rebecca Kitchen and Maradon Nettleship and appoints John Russell and Chante' T. McCoy to the Cottonwood Heights Arts Council.

- 4.5.2 **MOTION:** Councilman Shelton moved to approve Ordinance No. 2013-18. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote

5.0 **CONSENT CALENDAR**

5.1 **Approval of Minutes for March 26, 2013**

- 5.1.1 The minutes stood approved.

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

- 6.1 **MOTION:** Councilman Bracken moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote. The business meeting adjourned at 7:54 p.m.

WORK SESSION

ITEM 4. B.

Tip Hazard Mitigation Policy



Cottonwood Heights

Trip Hazard Mitigation Policy

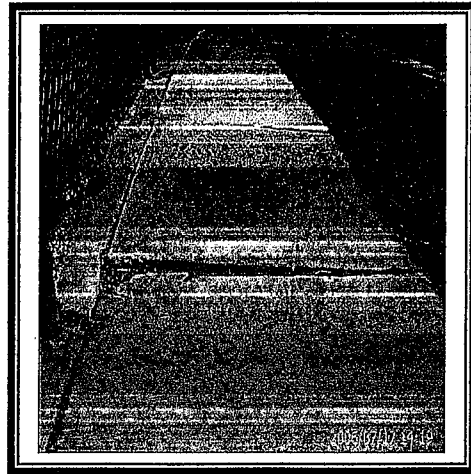
Policy Summary: Cottonwood Heights has public sidewalks on approximately 60% of its public streets. Public sidewalks may vary in age and in quality of condition. Not every mere inequality or irregularity in the surface of a sidewalk rises to the level of a defect or trip hazard risk. The City however recognizes that some sidewalk conditions can create unreasonable hazards for pedestrians and other sidewalk users.

Accordingly, the City and its Public Works Department will exercise both discretion and professional judgment in determining whether and when sidewalks need to be replaced or repaired. To this end, the City has created this trip hazard mitigation policy designed to facilitate the inspection, prioritization and scheduling of trip hazard repairs. As part of this policy the City will periodically complete a sidewalk condition survey to assist in the identification of trip hazards and prioritize their repair. The last such survey was completed in fall of 2005 and can be found in the Cottonwood Heights Capital Facilities Plan.

Trip Hazard Mitigation Districts: In addition to performing necessary localized repairs when reported by residents, the City allocates funding each year to repair trip hazards, neighborhood by neighborhood. The City is divided into five (5) trip hazard mitigation districts. Each year at least one district is comprehensively reviewed and trip hazards are identified and repaired where possible. If a trip hazard repair requires replacement of a sidewalk, the City will work with the property owner to have the sidewalk replaced.

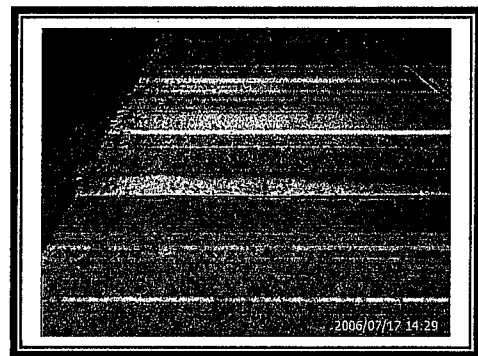
Trip Hazard Repair Criteria and Process: Permanent repairs to damaged concrete in the sidewalk area will be made when one or more of the following conditions exist:

1. Vertical displacement of ½-inch or more in the curb and gutter, sidewalk, or driveway.
2. Vertical change in design grade of one (1) inch or more within a two (2) foot length of curb and gutter, sidewalk, or driveway.
3. Broken or shattered concrete, concrete with open holes, or concrete raised projections which, in the judgment of the City Engineer, constitute a trip hazard to pedestrians or blocks drainage.
4. Parkway strip concrete (concrete installed in the park strip between sidewalk and curb) is considered to be an extension of the sidewalk and is subject to the same criteria to determine the need for repairs (½-inch vertical separation or one (1) inch vertical movement in two (2) feet). All hazardous concrete in the park strip must be removed. The property owners may elect to have the space filled with soil or concrete (per a plan approved by the City) at the property owners' expense.



If a sidewalk deficiency meeting at least one of the above criteria is reported to the City, the deficiency will be inspected as promptly as possible. Following such inspection, the following will generally happen:

- The defect will be marked in day-glo red or orange paint to point out the problem area to pedestrians.
- If the defect was the direct result of a private property owners tree or other condition on their abutting property, the area needing repair will be marked in day-glo green and the abutting



property owners will be notified of their repair responsibilities and options.

- If the repair of a reported defect is solely the responsibility of the City, the defect will be listed for repair on the City's sidewalk repair prioritization schedule. All repairs on this list will be completed on a funding availability basis
- If the defect can be repaired with a simple sidewalk cut or lifting, it will be added to the yearly repair list and completed as soon as possible.

Responsibility for Repairs: As per section 14.32 of the Cottonwood Heights Code, the owner of a parcel of property abutting a public right-of-way is responsible for replacement or repair of curb, gutter, or sidewalk which has deteriorated to a degree which requires repair or replacement.

In most cases a deteriorated or damaged sidewalk will have associated trip hazards. In many of these instances, saw cutting a sidewalk will eliminate the trip hazard. Where possible, the City will cause this to be completed as per available funding. Additional repairs beyond saw cutting shall be the responsibility either in full or in part of the property owner, as per City ordinance and this policy.

Before undertaking any repairs on abutting sidewalks, property owners are required to contact the City and apply for a Right-Of-Way Improvement Permit to work in the public right-of-way.

Contact the Planning Coordinator at 545-4154 to apply for this permit.

City Participation in Trip Hazard Repair and Sidewalk Replacement: If the owner of a parcel of property wants to remove and replace the curb and gutter, drive approach or sidewalk on public property because of deteriorated condition or to repair trip hazards as defined by this policy, the City may reimburse the property owner fifty percent (50%) of the cost of replacement, not to exceed one thousand dollars (\$1000) per lot/parcel. This reimbursement is subject to sufficient budgeted funds being available. Priority will be given to trip hazard mitigation and other safety related repairs.